

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JI HYE CHOI,

Plaintiff,

-against-

YEOUNG SOO KIM,

Defendant.

24-cv-6526 (JGK)

ORDER

JOHN G. KOELTL, District Judge:

On April 23, 2025, the plaintiff filed an amended complaint. ECF No. 22.

Pursuant to Rule 15(a) of the Federal Rules of Civil Procedure, “[a] party may amend its pleading once as a matter of course no later than: (A) 21 days after serving it, or (B) if the pleading is one to which a responsive pleading is required, 21 days after service of a responsive pleading or 21 days after service of a motion under Rule 12(b), (e), or (f), whichever is earlier.” Fed. R. Civ. P. 15(a). “In all other cases, a party may amend its pleading only with the opposing party’s written consent or the court’s leave.” Fed. R. Civ. P. 15(a) (2).

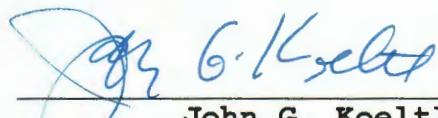
The defendant filed a motion to dismiss pursuant to Rule 12(b) (5) on March 7, 2025. ECF No. 18. Therefore, the time for the plaintiff to amend the complaint as a matter of course expired on March 28, 2025. Fed R. Civ. P. 15(a). The plaintiff

filed the amended complaint on April 23, 2025, without the opposing party's written consent or the Court's leave.

Accordingly, the Clerk is directed to strike the plaintiff's amended complaint, ECF No. 22.

SO ORDERED.

Dated: New York, New York
April 24, 2025


John G. Koeltl
United States District Judge